

Application No.: 09/989,974

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Docket No.: 251002009300

REMARKS**Status of the Claims*****Pending claims***

Claims 1 to 17 are pending.

Claims canceled and added in the instant amendment

In the present response, claims 15 to 17 are canceled, without prejudice or disclaimer. Accordingly, after entry of the instant amendment, claims 1 to 14 will be pending and under examination.

Applicants respectfully request entry of the amendments set forth in this response under 37 CFR §1.116. The amendment places the case in condition for allowance and places the case in better condition for appeal; the amendment does not raise any issues of new matter; and, the amended and new claims do not present new issues requiring further consideration or search.

Outstanding Rejections

The rejection of claims 15 to 17 under 35 U.S.C. §103(a) as allegedly unpatentable over Hendrickson (1991) Science 254:51-58, is maintained. Applicants respectfully traverse all outstanding objections to the specification and rejection of the claims.

Issues under 35 U.S.C. §103(a)

The rejection of claims 15 to 17 under 35 U.S.C. §103(a) as allegedly unpatentable over Hendrickson (1991) Science 254:51-58, is maintained. Applicants respectfully traverse, and incorporate herein their arguments as set forth in their response of June 03, 2004. However, merely to expedite allowance of the instant application, claims 15 to 17 are canceled without prejudice or disclaimer.

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CONCLUSION

In view of the foregoing amendment and remarks, Applicants respectfully aver that the Examiner can properly withdraw the rejection of the pending claims under 35 U.S.C. §103(a). Applicants respectfully submit that all claims pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket No. 251002009300.

If the Examiner believes a teleconference would expedite prosecution of this application, please call the under-signed representative.

Dated: November 9, 2004

Respectfully submitted,

By 

Gregory P. Einhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP

3811 Valley Centre Drive, Suite 500

San Diego, California 92130

(858) 720-5133

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